

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND COMMERCE

Call to Order: By **CHAIRMAN DICK HAINES**, on January 22, 2001 at 8:30 A.M., in Room 317-C Capitol.

ROLL CALL

Members Present:

Rep. Dick Haines, Chairman (R)
Sen. William Crismore, Vice Chairman (R)
Rep. Christine Kaufmann (D)
Sen. Linda Nelson (D)
Sen. Bill Tash (R)
Rep. Joe Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Becky Beckert-Graham, OBPP
Gary Hamel, Legislative Branch
Amber Sauer, Committee Secretary
Doug Schmitz, OBPP

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: Fish Wildlife and Parks
1/22/2001
Executive Action: Fish Wildlife and Parks,
Legislative Contract Authority,
Alternative Pay Plan, Vehicle
Rates, and Parks Division

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HEARING ON DEPARTMENT OF FISH WILDLIFE AND PARKS

Mr. Jeff Hagener, Director, Department of Fish, Wildlife And Parks, was introduced. He distributed information for the committee and gave an overview of the agency.

EXHIBIT(jnh17a01) and **EXHIBIT(jnh17a02)**

The overview highlighted the mission and the vision of the Department of FWP. **Mr. Hagener** pointed out that Montana leads the nation in the number of residents who actually hunt or fish. Statistics show that one of every three residents in Montana hunts or fishes. This creates about 12,000 jobs for the state. There are approximately 1.5 million visits to Montana's park system annually. The Department uses volunteers, and they are the equivalent of about 19 FTE per year.

Mr. Hagener spoke on the Hooked on Fishing Program. **CHAIRMAN HAINES** requested a breakdown of what schools had been presented with this program. **Mr. Hagener** stated they would bring that information to the next meeting.

Mr. Hagener spoke on licence fee increases. The last time the Department increased these fees was in 1991. They have been historically on an 8-10 year schedule. The intent is to have the fees be high enough in the first fee years to build a fund balance, and then as inflation becomes a factor over time, there would be money to draw on in the fund. The Department is looking at increasing only non-resident licence fees at this time. **CHAIRMAN HAINES** asked who would be carrying the bill. **Mr. Hagener** responded **SEN. BECK** is carrying this bill.

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Mr. Hagener discussed the issues in the budget request, which included Park and Fishing Access Site Maintenance, additional hunter access, resources to manage water conflicts, and predator and endangered species management. Legislative contract authority was discussed and the pros and cons were addressed by **Mr. Gary Hamel, LFD Representative**

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Mr. Hagener spoke on the vehicle mileage rate adjustment. Legislative audit had recommended the Department lower their fund balance in the vehicle account. Due to this, the base budget is currently misstated.

CHAIRMAN HAINES asked how long the Department anticipates using the lower Rates. **Mr. Dave Mott, Administrator of Administration**

And Finance, stated the Department is currently considering using the lower rate through the end of FY 01 and then returning to the correct rates.

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Mr. Hagener spoke of the new pay plan. This is a pay for performance plan that was approved by the Department of Administration.

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Mr. Hamel addressed the issues involved in legislative contract authority, and suggested language to be considered when approving legislative contract authority.

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Mr. Hagener, stated the Department has no problem with the language being included as suggested per the LFD.

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Mr. Mott discussed DP-110. He explained this has to do with contracts that are signed for support services. An example of a private contract that the Department deals with would be the contract with Bonneville Power.

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Mr. Paul Sihler, Administrator of Field Services, spoke to DP-211. This would enable the department to use federal monies to develop access agreements with landowners. **CHAIRMAN HAINES** questioned if this would be a permanent easement. **Mr. Sihler** clarified that it would probably be term in nature.

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Mr. Larry Peterman, Administrator of Fisheries, addressed DP-306. He stated that the federal funds are a big portion of their operation. The funds will be used for native fish restoration, and field collections of fish data.

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Ms. Beate Golda, Administrator of Law Enforcement, discussed DP-410. The funds would be used for TIP-MONT, the Criminal Justice

Information Network, and the Rocky Mountain Information Network Program to help capture criminals out of state.

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DP-508 was presented by **Mr. Don Childress, Administrator of Wildlife Division**. He stated a major portion of the federal grant is for projects in North Central Montana dealing with wetlands projects.

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Mr. Doug Monger, Administrator of Parks, discussed DP-609. This money is used to manage rivers including the Smith and the Blackfoot. Also, some of the funding is for a student intern to study the Blackfoot River, as per a bill request last session.

CHAIRMAN HAINES asked if the entire \$50,000 is spent on those two rivers. **Mr. Monger** clarified that approximately \$5,000 is spent on the Smith River, \$8,000 on the Blackfoot River, and about \$5,000 on the Giant Springs. The \$50,000 in the past may have been a generous amount; however, at this time this figure may actually be low.

{Tape : 2; Side : A; Approx. Time Counter : 468}

Mr. Ron Aashein, Administrator of Conservation Education, presented DP-807 which is legislative contract authority of \$35,000 each year of the biennium. FWP anticipates receiving dollars from federal agencies for special cooperative efforts which have in the past consisted of producing migratory bird and other wildlife guides.

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DP-907 was presented by **Mr. Chris Smith, Chief of Staff**. This is to provide support in regional offices largely in the Kalispell, Billings and Glasgow areas.

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Mr. Mott spoke regarding the language and how it would help balance sick leave, vacation and compensatory time, and how it is charged. He explained that at the beginning of the year, an estimate must be made; at the end of the year when actual figures are known, they can be charged. The purpose of the language is to give the Department the ability to make those changes.

Motion/Vote: REP. TROPILA moved the FOLLOWING HB 2 LANGUAGE BE ADOPTED. SEN. NELSON seconded the motion. Motion carried 6-0.

"THE APPROPRIATIONS FOR LEGISLATIVE CONTRACT AUTHORITY ARE SUBJECT TO ALL OF THE FOLLOWING PROVISIONS:

- 1) LEGISLATIVE CONTRACT AUTHORITY APPLIES ONLY TO FEDERAL FUNDS.
- 2) LEGISLATIVE CONTRACT AUTHORITY EXPENDITURES MUST BE REPORTED ON THE STATE'S ACCOUNTING SYSTEM AND THE RECORDS MUST BE SEPARATE FROM PRESENT LAW OPERATIONS. IN PREPARING THE 2005 BIENNIUM BUDGET FOR LEGISLATIVE CONSIDERATION, THE OFFICE OF BUDGET AND PROGRAM PLANNING MAY NOT INCLUDE THE EXPENDITURES FROM THIS ITEM IN THE PRESENT LAW BASE.
- 3) A REPORT MUST BE SUBMITTED BY THE DEPARTMENT TO THE LEGISLATIVE FISCAL DIVISION FOLLOWING THE END OF EACH FISCAL YEAR OF THE BIENNIUM. THE REPORT MUST INCLUDE A LIST OF PROJECTS WITH THE RELATED AMOUNT OF EXPENDITURES AND FTE FOR EACH PROJECT."

{Tape : 2; Side : B; Approx. Time Counter : 158}

Mr. Hamel discussed table three on page C-6. He explained the Department is beginning to spend more funds than they generate. He discussed the alternative pay plan and that the Department is requesting reductions in order to make this a neutral proposal. Mr. Hamel added that even if it is neutral at this time, they will request authority for items and services given up through "redirection". In addition, the Department has begun paying employees under the new plan; therefore, the fund balance would decline at a much faster rate.

Motion/Vote: SEN. TASH moved that THE FOLLOWING 8 DP'S RELATED TO LEGISLATIVE CONTRACT AUTHORITY BE ADOPTED. SEN. CRISMORE seconded the motion. Motion carried 6-0.

- 1) DP-110
- 2) DP-211
- 3) DP-306
- 4) DP-410
- 5) DP 508
- 6) DP 609
- 7) DP 807
- 8) DP 907

Motion/Vote: SEN. CRISMORE moved that THE FOLLOWING 8 DP'S ASSOCIATED WITH ALTERNATIVE PAY PLAN FOR A TOTAL REDUCTION OF \$850,620 BE ADOPTED. SEN. TASH seconded the motion. Motion carried 5-0.

- 1) DP-115
- 2) DP-213
- 3) DP 307
- 4) DP 413
- 5) DP 514
- 6) DP 612
- 7) DP 808
- 8) DP 909

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Mr. Hamel discussed the vehicle mileage rate adjustments. The rates were artificially low and had been imposed to drive the fund balances down. The Department is requesting fee increases to rejuvenate the fund.

Ms. Becky Beckert-Graham, OBPP, stated the governor's office does request that the DP's be included.

EXHIBIT(jnh17a03)

Mr. Hagener presented an exhibit comparing the Department's rates (owning their own vehicles) to the motor pool vehicle rates.

CHAIRMAN HAINES asked if the department had compared everything equally when comparing their rates to the motor pool. Mr. Hagener responded they had taken everything into consideration and made sure they compared things equally.

Motion/Vote: SEN. CRISMORE moved that the 7 DP's ASSOCIATED WITH VEHICLE RATE ADJUSTMENT BE ADOPTED. SEN TASH seconded the motion. Motion carried 6-0.

- 1) DP-216
- 2) DP 311
- 3) DP 415
- 4) DP 517
- 5) DP 617
- 6) DP 810
- 7) DP 913

{Tape : 3; Side : A; Approx. Time Counter : 173}

PARKS DIVISION

Mr. Doug Monger, Director of Parks, gave an overview of the Parks Division.

EXHIBIT(jnh17a04)

The major components are 320 fishing access sites and the trails program. Priorities in the Parks Program are resource protection, site maintenance, visitor satisfaction, and recreation opportunity enhancements. The Parks Program has a \$5.6 million budget to protect resources. There are 41 State parks in Montana. The number one reason visitors come to Montana parks is to learn about Montana history. Parks funding consists of 89% state special, 3% federal and 8% general fund. Montana has the lowest park operating budget in comparison to bordering states.

Mr. Monger spoke of accomplishments that included Chief Plenty Coups Park, Giant Springs Park, and the low income passport.

{Tape : 3; Side : B; Approx. Time Counter : 0}

SEN. TASH asked if there is a Senior discount on the low income passport. **Mr. Monger** explained that seniors actually are one of the higher income brackets in the State of Montana. The low income passport is not based on age, but based completely on the ability to pay as determined by proof of enrollment in a welfare program.

SEN. NELSON asked about the cost of the low income passport. **Mr. Monger** stated the passport costs \$14.

Mr. Monger spoke about a performance audit recently completed in the Parks Division. The results of that audit are not yet available; however, he is expecting the results to be favorable. He also addressed volunteer work at the parks. Last year there were 36,268 hours of volunteer labor, involving 1388 people. This is a savings to the Department of 17.40 FTE, or \$525,886 per year.

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The value and benefits of State Parks was addressed by **Mr. Monger**. The benefits include increasing the local economy, family values, outdoor classrooms, cultural understanding, protection of historic Montana, quality of life, sense of place, fun, and memories.

Mr. Monger reported on the Fishing Access Sites (FAS). The 320 FAS in Montana are minimally developed, and yet see a visitor count of approximately 4.8 million per year.

{Tape : 3; Side : B; Approx. Time Counter : 230}

Motion/Vote: SEN. TASH moved that DP-604 BE ADOPTED. SEN. NELSON seconded the motion. Motion carried 6-0.

Mr. Hamel and **Mr. Monger** discussed DP-605. The department requested to remove DP-605 and to change DP-613 to request \$78,000 for each year of the biennium. These both deal with the Land and Water Conservation fund which is a federal pass-through account.

Motion/Vote: SEN. CRISMORE moved that DP-605 BE WITHDRAWN AND ACCEPT DP-613 REVISED WITH THE REQUEST OF \$78,000 FOR EACH YEAR OF THE BIENNIUM BE ADOPTED. SEN. TASH seconded the motion. Motion carried 6-0.

CHAIRMAN HAINES adjourned the meeting.

ADJOURNMENT

Adjournment: 11:30 A.M.

REP. DICK HAINES, Chairman

SANDRA WHITAKER, Editing Secretary

DH/AS/SW

EXHIBIT (jnh17aad)